

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

SEP 27 2006

UNITED STATES OF AMERICA,

MATTHEW J. DYKMAN

CLERK

Plaintiff,

) CRIMINAL NO. 06-2083

vs.

LEROY LUCERO a/k/a Smurf,

) Count 1: 18 U.S.C. § 922(g)(1)
Defendant.) and 18 U.S.C. § 924(a)(2): Felon
) in Possession of a Firearm and
Ammunition.

INDICTMENT

The Grand Jury charges:

On or about the 27th day of June, 2006, in San Miguel County, State and District of New Mexico, the defendant, **LEROY LUCERO** a/k/a Smurf, having been convicted of Aggravated Assault with a Deadly Weapon (a chain) in Cause No. 90-46-CR in the Fourth Judicial District Court, County of San Miguel, State of New Mexico; Aggravated Battery with a Deadly Weapon in Cause No. 92-82 in the Fourth Judicial District Court, County of San Miguel, State of New Mexico; Possession of a Controlled Substance (Heroin) in Cause No. 98-191-CR in the Fourth Judicial District Court, County of San Miguel, State of New Mexico; Escape from Jail in Cause No. 2002-87-CR in the Fourth Judicial District Court, County of San Miguel, State of New Mexico; and Felon in Possession of a Firearm in Cause No. 2002-126-CR in the Fourth Judicial District Court, County of San Miguel, State of New Mexico, crimes punishable by imprisonment for a term exceeding one year did knowingly possess in and affecting commerce a firearm, a Mossberg, model 500A, 12

gauge shotgun, serial number K117708 and ammunition, approximately two (2) Winchester brand 12 gauge cartridges.

In violation of 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(a)(2).

FORFEITURE ALLEGATIONS

Upon conviction of the offense alleged in this Indictment, Defendant **LEROY LUCERO** a/k/a "Smurf" shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the Mossberg, model 500A, 12 gauge shotgun, serial number K117708 and approximately two (2) Winchester brand 12 gauge cartridges of ammunition involved in the commission of the offense.

A TRUE BILL

/S/
FOREPERSON

David C. Iglesias
United States Attorney

____ 9/2006